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Atty. Dkt. No. 017835-0362

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert SCHULZ et al.

Title: NANOCOMPOSITES WITH ACTIVATED INTERFACES
PREPARED BY MECHANICAL GRINDING OF
MAGNESIUM HYDRIDES AND USE FOR HYDROGEN
STORAGE

Appl. No.: 09/529,910

Filing Date: 6/28/2000

Examiner: S. Ip

Art Unit: 1742

RULE 132 DECLARATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Robert Schulz, declare and say as follows:

1. I submit this declaration in support of the present application for a U.S. patent.
2. I am currently employed by Hydro-Quebec, the assignee of the present application.
3. I am a co-inventor of the present application.
4. I am also a co-inventor of PCT Published Application WO 97/26214 ("WO '214") which was used in a rejection in the Final Office Action.

5. Claim 1 of the present application recites grinding a metal hydride (i.e., a hydrogenated metal or a metal-hydrogen alloy).
6. WO '214 does not teach grinding a metal hydride (i.e., a hydrogenated metal or a metal-hydrogen alloy).
7. Page 3, line 30 to Page 4, line 4 and Page 6, lines 5-13 of WO '214 define the terms "high and low temperature metal hydrides" as hydrogen carrier metals capable of being hydrogenated at high and low temperature respectively.
8. Page 8, lines 3 and 7 of WO '214 mention the term "metal hydride". However, as defined on Page 3, line 30 to Page 4, line 4 and Page 6, lines 5-13 of WO' 214, the term "metal hydride" on page 8, lines 3 and 7 of WO '214 means a metal or metal alloy capable of being hydrogenated, not a metal-hydrogen alloy.
9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title XVIII of the United States Code and that such willful, false statements may jeopardize the validity of the above-identified application or any patent resulting there from.

By 
Robert Schulz

Date: July 18, 2006